

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUKE JOHN SCOTT, SR.,

Defendant.

Cause No. CR 19-29-GF-BMM
CR 19-30-GF-BMM

ORDER

The Court allowed Luke John Scott, Sr. (Scott) to proceed *pro se* after having conducted a *Faretta* hearing to assess whether Scott undertook knowingly, intelligently, and voluntarily his decision to represent himself. (CR-19-29-GF-BMM, Doc. 73 at 1-2 & CR-19-30-GF-BMM, Doc. 72 at 1-2.) Scott has filed a Motion for *Henthorn* Request. (CR-19-29-GF-BMM, Doc. 99 & CR-19-30-GF-BMM, Doc. 98.) Scott seeks the personnel files of all federal and tribal agents involved in his cases. (*Id.*)

The Government responded to Scott's motion and notified the Court that it is in receipt of Scott's *Henthorn* request. (CR-19-29-GF-BMM, Doc. 104 at 1-2 & CR-19-30-GF-BMM, Doc. 101 at 1-2.) Scott's previous defense counsel had already made the request on Scott's behalf in an initial discovery letter received by

the Government on April 26, 2019. (*Id.* at 2.) The Government stated that it will respond to Scott's *Henthorn* request consistent with office and District policy. (*Id.*) Trial is currently scheduled on August 11, 2020, in CR-19-29-GF-BMM and on August 25, 2020, in CR-19-30-GF-BMM. (CR-19-29-GF-BMM, Doc. 102 & CR-19-30-GF-BMM, Doc. 100.)

The parties agree that Scott is entitled to discover *Henthorn* material. Accordingly, **IT IS HEREBY ORDERED** that Scott's Motion for *Henthorn* Request (CR-19-29-GF-BMM, Doc. 99 & CR-19-30-GF-BMM, Doc. 98) is **GRANTED**. The Government is directed to produce discoverable *Henthorn* material to Scott 30 days before each trial, to allow time for the Government to seek advice from the Court, if necessary, regarding the manner of disclosure given Scott's *pro se* status.

DATED this 21st day of April, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court